

### **REMARKS**

This application has been reviewed in light of the final Office Action mailed on March 10, 2009. Claims 1-13 are pending in the application with Claims 1 and 8 being in independent form. By the present amendment, Claims 1 and 8 have been amended. No new matter or issues are believed to be introduced by the amendments. Support for the amendments can be found at page 4, lines 15-17 of the specification. Therefore, Applicant believes that no new search is warranted for the amendments.

Claims 1 and 8 were rejected under 35 U.S.C. §112, second paragraph. Claims 1 and 8 have been amended to add the recitation "wherein said timebase is a periodic clock." Accordingly, the claim is no longer ambiguous as to what is meant by "timebase." Therefore, withdrawal of the rejection is respectfully requested.

Claims 1-13 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application No. 2003/0079225 to Peising et al. in view of U.S. Patent Application No. 2003/0200554 to Noetsele et al.

It is undisputed that Peising et al. does not teach or suggest "a timebase is included in the broadcast signal." Clearly, since Peising et al. does not teach or suggest that a timebase is included in the broadcast signal, it cannot teach or suggest, pausing a received timebase, wherein the timebase is a periodic clock, as recited by Applicant's independent Claims 1 and 8.

Noetsele et al. is cited to provide that which is admitted missing from Peising, however, it is respectfully submitted that reliance on Noetsele et al. is misplaced.

Noetsele et al. shows a system wherein the delivery of a video stream including enhanced content is controlled by the distributor of the content through use of a media control manager (MCM 13, see, FIG. 3, paragraphs [0035]-[0036]). In operation, a content provider 11 transmits

the enhanced content to the MCM. The video stream includes a unified content code (UCC), see, paragraph [0031]). The UCC "includes a timestamp that indicates the timing of that UCC relative to the start of the video stream." (See, paragraph [0034].)

However, similar as to other prior art systems described in the present application, Noetsele et al. relies on the distributor of the video stream, for controlling delivery of the enhanced content. Specifically, Noetsele et al. utilizes a traffic analyzer to monitor the UCC codes provided by the content provider, and to provide trigger signals for the end user devices (set-top box (STB) 34). (See, paragraph [0039].) When no UCC codes are present due to an interruption in the video stream, the traffic analyzer stops a trigger generator from generating triggers for the enhanced content. The trigger generator may also transmit a signal to the STB's to disable play-out of the enhanced content.

While Noetsele et al. describes that the "traffic analyser also synchronises the clock used by the trigger generator for the timed trigger broadcasting" (see, paragraph [0038]) and also "maintains a clock that is synchronised to the timestamps contained in the UCCs" (see, paragraph [0040]), Noetsele et al. does not pause a received timebase, where the timebase is a periodic clock, as recited by Applicant's independent Claims 1 and 8.

In fact, Noetsele et al. does not teach or suggest pausing any timebase and instead utilizes the system of triggers for synchronizing the enhanced content. However, because the triggers are provided by the content distributor, there are times when even a disabling signal sent from the distributor to the STB will be received by the STB too late to avoid executing the enhanced content.

As noted in the present application, "[t]he conventional receiver will therefore execute the [enhanced content] event 304 during the advertisement 302, because the interactive application is

controlled to execute that event 304 from the timebase (which is still running)." (See, present application, page 8, lines 3-10.)

It is respectfully submitted that Peising et al. in view of Noetsele et al., does not teach or suggest the features as recited in independent Claim 1, and similarly recited in independent Claim 8 which, amongst other patentable elements, recites (illustrative emphasis provided):

receiving, by an end user device, a broadcast signal, the broadcast signal including a timebase, monitoring the broadcast signal for an identification signal, and pausing the received timebase if the identification signal is not present, wherein said timebase is a periodic clock.

It is respectfully submitted that pausing a received timebase if the identification signal is not present, is nowhere disclosed or suggested in Peising et al. and Noetsele et al., taken alone or in any proper combination. Accordingly, it is respectfully submitted that independent Claims 1 and 8 are allowable. In addition, Claims 2-7 and 9-13 are allowable at least because they depend from independent Claims 1 and 8, as well as for the separately patentable elements contained in each of the dependent claims.

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-13, are believed to be in condition for allowance.

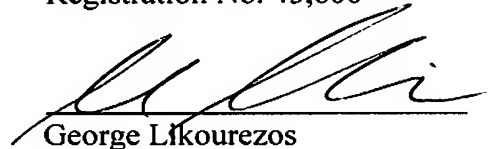
If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to contact the undersigned.

Respectfully submitted,

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